

Amdt. dated May 3, 2005
Reply to Office action of Jan. 12, 2005

Serial No. 09/888,471
Docket No. AUS920000714US1
Firm No. 0072.0040

REMARKS/ARGUMENTS

Applicants canceled claims 6, 22, 23, 30, 46, 47, 54, 70, and 71.

Applicants added claims 73-78 to include the "conflict signal" requirement removed from claims 1, 23, 25, 45, 49, and 65.

Claims 13-20, 37-44, and 61-68 were withdrawn.

1. Claims 1, 2, 4, 5, 7, 8, 12, 21, 25-26, 38-42, 36, 45, 49, 50, 52, 53, 55, 56, 60, and 69 are Patentable Over the Cited Art

The Examiner rejected claims 1, 2, 4-8, 12, 21, 22, 25-26, 38-32, 36, 45, 46, 49, 50, 52-56, 60, 69, and 70 as obvious (35 U.S.C. §103) over Raff (U.S. Patent No. 6,785,868) in view of Tognazzini (U.S. Patent No. 5,790,974). Applicants traverse for the following reasons.

Amended claims 1, 25, and 49 concern accessing calendar information of users in a database for presentation by a personal information manager, and require: maintaining scheduled event records for users within the database; maintaining information on shadowed events for a tracked entity; providing from the database scheduled event records for a user and information on shadowed events of at least one tracked entity, wherein the scheduled event records are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked entity; displaying information on the provided scheduled event records and shadowed events for a time period; receiving user selection to provide a selected shadowed event with the user scheduled event records; and adding the selected shadowed event to the user scheduled event records in the database.

Applicants amended claims 1, 25, and 49 to add the requirement of canceled claims 6, 30, and 54 and emphasize that the scheduled event records to which the shadowed events are added are in the database per the claim requirement that the scheduled event records are maintained in the database.

Applicants further removed the requirements concerning the conflict signal, which were added back to claims 73-75.

The Examiner cited FIG. 16, element 615 of Raff with respect to the requirements of claims 6, 30, and 54 that were added to independent claims 6, 30, and 54. (Office Action, pg. 4) Applicants traverse.

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The cited Raff FIG. 16 shows a pulldown window 600 displayed in the calendar application showing calendar information from the "default category" or the calendar user appointments. The user can select from the pulldown window 600 other categories, such as "wife" and "child2" to display their schedules as shown in FIG. 15. (Raff, col. 13, lines 28-45).

The cited Raff concerns a technique to select another user so as to display the calendar events of that other user with the "default" calendar events. However, nowhere does the cited Raff teach or suggest selecting a shadowed event to add to the user's scheduled event records in the database.

First off, Raff does not disclose selecting a shadowed event. Instead, through the pulldown window 600, the user selects a category of items to display in the calendar, not a shadowed event. Further, the cited Raff just shows displaying the scheduled events for a selected category, such as "wife", "child2", in the calendar, not adding any scheduled events for these other categories to the default category or to the current user's records that are stored in the database. Thus, although the cited Raff allows one to display the events of another user, i.e., category, with the default user, Raff does not teach or suggest adding the other user's, e.g., the wife or child2, scheduled events to the default scheduled events.

Moreover, Raff teaches away from adding a selected shadowed event to the user scheduled events. Raff states that "[i]t is appreciated that while any of the calendar information can be updated ... by computer 100a, changes made by the computer 100a to categories that are not the default will not be synchronized back to the database." (Raff, col. 13, line 64 to col. 14, line 3) Thus, the changes to scheduled events or calendar information for users or other categories, e.g., wife, child2, etc., are not added to the default category in the database. Raff further states that "the category designation 445 of the shared calendar information 456 is not allowed to be altered." (Raff, col. 11, lines 45-50).

Thus, not only does the cited Raff not teach or suggest selecting a shadowed event record to add to the scheduled event records of the user in the database, Raff teaches away from altering the category of records as claimed.

Accordingly, amended claims 1, 25, and 49 are patentable over the cited art because the cited combination of Raff and Tognazzini does not teach or suggest all the claim requirements.

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Claims 2-5 and 7-12; 26-29 and 31-36; and 50-53 and 55-60 are patentable over the cited art because they depend from claims 1, 25, and 49, respectively. Applicants amended claims 7, 8, 32, 55, and 56 to depend from the amended independent claims.

Applicants amended claims 21, 45, and 69 to include the requirements of claims 23, 47, and 71. Applicants explain the patentability of these claims and the claims that depend therefrom below.

2. Claims 3, 27, and 51 are Patentable Over the Cited Art

The Examiner rejected claims 3, 27, and 51 as obvious (35 U.S.C. §103) over Raff in view of Tognazzini and further in view of Colman (U.S. Patent No. 6,262,732).

Applicants traverse because these claims depend from claims 1, 25, and 49, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims in combination with the base claims provide further grounds of patentability over the cited art.

3. Claims 9, 10, 11, 33, 34, 35, 57, 58, and 59 are Patentable Over the Cited Art

The Examiner rejected claims 9, 10, 11, 33, 34, 35, 57, 58, and 59 as obvious (35 U.S.C. §103) over Raff and Tognazzini in view of Barnett (U.S. Patent No. 6,369,840). Applicants traverse.

Applicants traverse because these claims depend from claims 1, 25, and 49, which are patentable over the cited art for the reasons discussed above. Moreover, these claims provide additional grounds of patentability over the cited art.

The Examiner cited col. 14, line 13 of Barnett as teaching the additional requirements of claims 9, 33, and 57 that the scheduled shadowed event is an event for which payment must be received in order to attend the scheduled shadowed event. (Office Action, pg. 8)

Although the cited col. 14 mentions a link for making a purchase associated with an event in a calendar, nowhere does the cited col. 14 disclose that a shadowed event is an event for which payment must be received in order to attend the shadowed event. There is no teaching or suggestion anywhere in the cited art that a scheduled event is an event for which payment must be received. In fact, the cited Raff teaches away from such modification, because the only event it shows being displayed with the default user are calendar events from other people, not events

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that one would attend as claimed. There is no suggestion of modify the events of Raff with events to attend for which payment must be received.

Accordingly, claims 9, 33, and 57 provide additional grounds of patentability over the cited art.

4. Claims 21, 24, 45, 48, 69, and 72 are Patentable Over the Cited Art

Amended claims 21, 45, and 69 recite implementing a personal information manager in an electronic calendar device for a user, and require: displaying scheduled records for a designated time period of the user in the electronic calendar; providing scheduled event records for the user and information on shadowed events of at least one tracked person, wherein the scheduled event records are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked; displaying information on the provided scheduled event records and shadowed events for a time period; and displaying location information providing a current location of the tracked person provided by an electronic device with the tracked person transmitting location information.

Applicants amended claims 21, 45, and 69 to include the requirements of canceled claims 23, 47, and 71 and to remove the limitation concerning the conflict signal, which are now in claims 76-78.

The Examiner found that claims 23, 47, and 71, now included in claims 21, 45, and 69, are obvious (35 U.S.C. §103) over Raff and Tognazzine further in view of Moon (U.S. Patent No. 6,064,975). Applicants traverse.

The Examiner cited col. 5, line 29 of Moon as teaching the additional requirements of these claims. (Office Action, pg. 10) The cited col. 5 mentions that one can activate a button to indicate the location of a party with whom ones portable electronic device is having or had communication with. Although the cited Moon mentions displaying location information of another person or device, nowhere does the cited Moon or other art anywhere teach or suggest the claim requirement of displaying location information on a tracked person whose shadowed events are displayed with the scheduled events of the user. This particular combination of displaying the location of tracked users whose shadowed events are displayed with scheduled events is nowhere taught or suggested in the cited art.

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According to the Manual of Patent Examination and Procedure ("MPEP") the "mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." MPEP Sec. 2143.01, p. 2100-131 (Rev. 2, May 2004). Here, the Examiner is suggesting a modification nowhere taught or suggested in the cited art – displaying location information on a tracked person whose shadowed events are displayed with the scheduled events of the user. For this reason, the proposed modification is not proper.

Accordingly, claims 21, 45, and 69 are patentable over the cited art because the cited combination does not teach or suggest the claim requirements.

Claims 22, 24, 46, 38, 70, and 72 are patentable over the cited art because they depend from claims 21, 45, and 69, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims in combination with the base claims provide further grounds of patentability over the cited art.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-19 are patentable over the art of record. Applicants submit herewith the fee for the extension of time. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0447.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

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